



PALMDALE^{BY}

a place to call home

May 24, 2006

JAMES C. LEDFORD, JR.
Mayor

MIKE DISPENZA
Mayor Pro Tem

STEVEN D. HOFBAUER
Councilmember

STEPHEN KNIGHT
Councilmember

TOM LACKEY
Councilmember

Bobbie Garcia
California Integrated Waste Management Board
Permitting and Enforcement Division
P.O. Box 4025 MS-16
Sacramento, CA 95812-4025

Subject: Notice of Opposition – Permit Implementation Regulations (Assembly Bill 1497)

38300 Sierra Highway

Palmdale, CA 93550-4798

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Dear Ms. Garcia:

The City of Palmdale would like to express our **opposition** to the proposed Permit Implementation Regulations. While we support the legislative intent of Assembly Bill 1497 (Montanez, 2003) of ensuring residents living near a solid waste facility are afforded proper notification regarding any significant changes to the facility's design and/or operation, we cannot support the proposed Regulations as currently drafted. We believe that the proposed Regulations do not address the importance of the California Integrated Waste Management Board's fiduciary responsibility to verify the facility's consistency with the host jurisdiction's land use permit prior to issuing a Solid Waste Facility Permit (SWFP) or a revision thereto.

Without this direct verification (or indirectly by having the facility owner/operator to submit a letter from the host jurisdiction verifying that the proposed activity is consistent with the land use permit), we believe solid waste facilities will be issued a SWFP that may be inconsistent with criteria established for the design and operation of the facility by the host jurisdiction. This would create public confusion and a legal dilemma as to which permit governs. Ultimately, the proposed Regulations will weaken the host jurisdiction's land use authority. This matter poses a particular concern to the City as the Antelope Valley Public Landfill is located in the City Palmdale.

Auxiliary aids provided for

communication accessibility

upon 72 hours' notice and request.

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Since land use authority is one of local government's most important tools to protect the public health, safety and welfare of its residents, we therefore urge the CIWMB not move forward in promulgating the proposed Regulations until it addresses this issue. We thank you for your consideration on this matter. If you have any questions, please contact me at (661) 267-5115.

Sincerely,



James C. Ledford, Jr.
Mayor

cc: Governor Arnold Schwarzenegger
Assembly Member Cindy Montanez
Undersecretary of Cal-EPA (Dan Skopec)
Each Member of the California Integrated Waste
Management Board
Palmdale City Council
Robert W. Toone Jr., City Manager
Los Angeles County Integrated Waste Management Task
Force